SINGLE BENCH

CF·1002-L

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION(S) NO. 4230 *OF 2006*

PETITIONER:

- Hanumant Kumar Sharma , S/o-Late Shri Babulal Sharma, Aged About- 52 Years, Occupation- Service (Sub Engineer Posted at P.M.G.S.Y PIU, No.2 Jagdalpur),R/o- Qrt. No. G-2, Irrigation Colony Kharsiya, Distt. Raigarh (C.G.)

P.R. No. 4296/06
Presented by Shri Vinay Pandey
dated 2/8/06

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh
   Through it's Secretary
   Department of Water Resources,
   D.K.S. Bhawan Raipur (C.G.)

2. State of Chhattisgarh
   Through it's Secretary
   Department of Rural Engineering Services, D.K.S. Bhawan Raipur (C.G.)

3. The Joint Secretary, Department of Panchayat & Rural Development
   D.K.S. Bhawan Raipur (C.G.)

4. Sub Divisional Officer, Akaltara Branch Sub Division No.1 Kharsiya ,Distt. Raigarh (C.G.)

5. Executive Engineer,
   P.M.G.S.Y PIU, Division No.2,
   Jagdalpur, Distt. Bastar (C.G.)

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OATH COMMISSIONER
APARNA MALVIYA
CG0073/06
03/08/06
Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC. OR DIRECTION / ORDER IN THE LIKE NATURE.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 4237 **सन्** 2006

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14-8-2006

Mr. Vinay Pandey, counsel for the petitioner.

Mr. Satish Gupta, Deputy Govt. Advocate for the State/respondents, on advance copy.

Heard.

The petitioner's case is that he was working as Sub Engineer, in the Department of Irrigation, Vidisha and vide order dated 12-6-2006 (Annexure P-1) he was sent on deputation to the Department of Panchayat & Rural Development. In compliance of that order, the petitioner joined in the Department of Panchayat & Rural Development. Later on, other Engineers of the Irrigation Department had challenged the said order dated 12-6-2006 and the same has been quashed by this Court. Thereafter, the petitioner made a representation to the Department of Panchayat & Rural Development stating therein that he does not want to continue in the Department of Panchayat & Rural Development, but his representation is not being decided.

Having heard learned counsel for the parties and having perused the petition, the petitioner has already joined in the Department of Panchayat & Rural Development in pursuance of the order dated 12-6-2006 and thereafter, that order has been quashed qua the petitioners who filed the petition. That order was quashed on the submission made by the Deputy Advocate General on behalf of the State that the State has framed a new scheme for sending the Engineers of Water Resources Department under the Pradhan Mantri Gram Sadak Yojana (PMGSY) scheme.

Therefore, in the circumstances, as the petitioner has already joined in the Department of Panchayat & Rural Development, the respondents while passing the order regarding PMGSY scheme in respect of the Engineers of Irrigation Department should also consider the case of the petitioner, as the

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	petitioner belongs to Irrigation Department, therefore, they should pass appropriate order along with the other Engineers in respect of the services of the petitioner. Till then, the petitioner shall continue in the Department of Panchayat & Rural Development on the post where he has already joined. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3286/2006 and I.A. No.7791/2006 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

P.T.O.

18.8.06 22.8.06